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Attorney for Plaintiff
SAMUEL KWESI DADJO

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SAMUEL KWESI DADJO,

Plaintiff,

v.

ENCORE RECEIVABLE MANAGEMENT,
INC., a Kansas corporation,

Defendant.

Case No. C07-05856-SC

**DECLARATION OF FRED W.
SCHWINN IN SUPPORT OF
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

[Fed. R. Civ. P. 56]

Date: September 19, 2008
Time: 10:00 a.m.
Judge: Honorable Samuel Conti
Courtroom: 1, 17th Floor
Place: 450 Golden Gate Ave
San Francisco, California

I, Fred W. Schwinn, declare under penalty of perjury, under the laws of the United States,
28 U.S.C. § 1746, that the following statements are true:

1. I am an attorney at law duly licensed to practice before all the courts of the
State of California and in this judicial district and am a shareholder in the law firm Consumer Law
Center, Inc., attorneys of record for Plaintiff, SAMUEL KWESI DADJO (hereinafter referred to as
"Plaintiff").

2. I have personal knowledge of the following facts, and if called as a witness,
I could and would competently testify thereto.

3. On February 20, 2007, I served Plaintiff's First Request for Admissions
Propounded to Encore Receivable Management, Inc., on counsel for Defendants, David J. Kaminski,

1 via first-class United States Mail. A true and accurate copy of the Plaintiff's First Request for
2 Admissions Propounded to Encore Receivable Management, Inc., is attached hereto, marked Exhibit
3 "1," and by this reference is incorporated herein.

4 4. On or about April 3, 2008, I received Defendant's Response to Plaintiff's First
5 Set of Requests for Admissions. A true and accurate copy of Defendant's Response to Plaintiff's
6 First Set of Requests for Admissions is attached hereto, marked Exhibit "2," and by this reference
7 is incorporated herein.

8 5. On February 20, 2008, I served Plaintiff's First Request for Production of
9 Documents Propounded to Encore Receivable Management, Inc., on counsel for Defendants, David
10 J. Kaminski, via first-class United States Mail. A true and accurate copy of the Plaintiff's First
11 Request for Production of Documents Propounded to Encore Receivable Management, Inc., is
12 attached hereto, marked Exhibit "3," and by this reference is incorporated herein.

13 6. On or about April 3, 2008, I received Defendant's Response to Plaintiff's First
14 Set of Requests for Production of Documents. A true and accurate copy of Defendant's Response
15 to Plaintiff's First Set of Requests for Production of Documents is attached hereto, marked Exhibit
16 "4," and by this reference is incorporated herein.

17 Executed at San Jose, California on August 15, 2008.

18
19 /s/ Fred W. Schwinn
20 Fred W. Schwinn (SBN 225575)
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SAMUEL KWESI DADJO